UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

PAULA ANN MILLIGAN, and)
HAROLD MONTGOMERY)
MILLIGAN,)
Plaintiffs,) Case No. 3:07-1053) Judge Trauger
v.)
THE UNITED STATES OF AMERICA,)
et al.,)
)
Defendants.)

ORDER

For the reasons expressed in the accompanying Memorandum, the defendants' Motion for Summary Judgment (Docket No. 44) is **GRANTED** in part and **DENIED** in part, and the plaintiffs' Motion to Delay Consideration (Docket No. 65) is **DENIED**. The plaintiffs' Motion for Extension of Time (Docket No. 82) is **DENIED** as moot. All claims against defendants United States of America and United States Marshals Service are **DISMISSED**. All claims against the individual federal defendants (including defendants Kevin Koback, Daniel Thomas Shelton, Wesley Terry and Craig Reese, and all other unknown U.S. Marshals) in their official capacities are **DISMISSED**. In addition, all claims against those defendants in their individual capacities for declarative or injunctive relief are **DISMISSED**. Finally all claims against defendant Kevin Koback in his individual capacity for monetary relief are **DISMISSED**. All claims against defendant Daniel Thomas Shelton in his individual capacity for monetary relief involving the search of the plaintiffs' home are **DISMISSED**; however, those claims against Defendant Shelton arising out of the arrest are **NOT DISMISSED**. The plaintiffs' remaining claims against the individual federal defendants in their individual capacities for monetary relief

will proceed to trial. It is further **ORDERED** that the initial case management conference will be held on May 19, 2008 at 2:45 p.m.

It is so ordered.

Enter this 2nd day of May 2008.

ALETA A. TRAUGER United States District Judge